

AN ACT

relating to group health benefits coverage for persons wrongfully imprisoned.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. The heading to Section 103.001, Civil Practice and Remedies Code, is amended to read as follows:

Sec. 103.001. CLAIMANTS ENTITLED TO COMPENSATION AND HEALTH
BENEFITS COVERAGE.

SECTION 2. Section 103.001, Civil Practice and Remedies Code, is amended by adding Subsections (d) and (e) to read as follows:

(d) Subject to this section, a person entitled to compensation under Subsection (a) is also eligible to obtain group health benefit plan coverage through the Texas Department of Criminal Justice as if the person were an employee of the department. This subsection does not entitle the person's spouse or other dependent or family member to group health benefit plan coverage. Coverage may be obtained under this subsection for a period of time equal to the total period the claimant served for the crime for which the claimant was wrongfully imprisoned, including any period during which the claimant was released on parole or to mandatory supervision or required to register under Chapter 62, Code of Criminal Procedure. A person who elects to obtain coverage under this subsection shall pay a monthly contribution equal to the

total amount of the monthly contributions for that coverage for an employee of the department.

(e) Notwithstanding Section 103.053(c), annuity payments may be reduced by an amount necessary to make the payments required by Subsection (d), and that amount shall be transferred to an appropriate account as provided by the comptroller by rule to fund that coverage.

SECTION 3. Section 103.051, Civil Practice and Remedies Code, is amended by adding Subsection (f) to read as follows:

(f) To apply for coverage through the Texas Department of Criminal Justice under Section 103.001(d), the claimant must file with the department:

(1) an application for coverage provided for that purpose by the department; and

(2) a statement by the comptroller that the comptroller has determined the claimant to be eligible for compensation under this subchapter.

SECTION 4. Subchapter C, Chapter 1551, Insurance Code, is amended by adding Section 1551.115 to read as follows:

Sec. 1551.115. PARTICIPATION BY WRONGFULLY IMPRISONED PERSONS. Subject to Section 103.001, Civil Practice and Remedies Code, a person who is entitled to compensation under Chapter 103, Civil Practice and Remedies Code, is eligible to obtain health benefit plan coverage under the group benefits program in the manner and to the extent that an employee of the Texas Department of Criminal Justice would be entitled to coverage, except that this section does not entitle the person's spouse or other dependent or

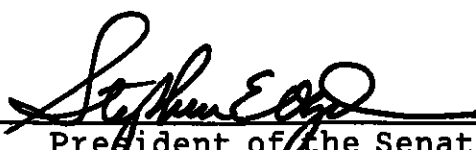
1 family member to coverage.

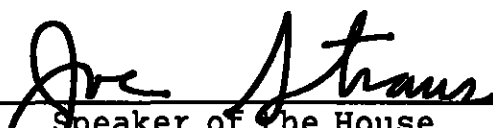
2 SECTION 5. The change in law made by this Act applies to a
3 person the comptroller of public accounts has determined to be
4 eligible for compensation as provided by Subsection (b), Section
5 103.051, Civil Practice and Remedies Code, regardless of whether
6 the eligibility determination is made before, on, or after the
7 effective date of this Act.

8 SECTION 6. This Act takes effect September 1, 2011.


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S.B. No. 1686

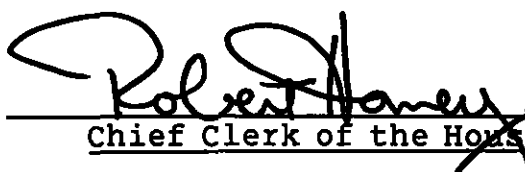

President of the Senate


Speaker of the House

I hereby certify that S.B. No. 1686 passed the Senate on April 29, 2011, by the following vote: Yeas 31, Nays 0; and that the Senate concurred in House amendment on May 26, 2011, by the following vote: Yeas 31, Nays 0. _____


Secretary of the Senate

I hereby certify that S.B. No. 1686 passed the House, with amendment, on May 23, 2011, by the following vote: Yeas 142, Nays 0, one present not voting. _____

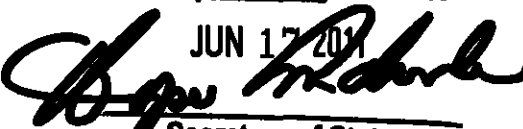

Chief Clerk of the House

Approved:


Date


Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4 PM O'CLOCK


Secretary of State